

### **REMARKS**

Claims 1 and 3-39 were pending in the present application. By virtue of this response, claims 1 and 24 have been amended. Accordingly, claims 1 and 3-39 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

#### **Claim Amendments**

Claim 1 is amended to recite an optical package including an opening defined by at least one wall and “the at least one wall defining a plane that is substantially perpendicular to the plane defined by the mounting base.” Claim 24 is amended to recite a method for routing a length of optical fibers through a wall of a package where “the wall of the package is substantially perpendicular to the plane defined by the mounting base.” Support for the amendment may be found in the present application, for example, in FIGs. 6A and 6B. Accordingly, no new matter has been added.

#### **Allowable Subject Matter**

Applicants thank the Examiner for the indication of allowable subject matter in the present application. Applicants have amended claims 1 and 24 to include features of FIGs. 6A and 6B as described herein and indicated as allowable in the Office Action. Accordingly, Applicants submit that claims 1 and 24 (as well as claims 3-23 and 25-39, which depend from claims 1 and 24 respectively) are in condition for immediate allowance.

#### **Rejections under 35 U.S.C. § 102(b)**

Claims 1, 3, 4, 10, 12, 19, 22, 24, 25, 30, 37, and 38 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Swirhun et al. (U.S. 5,631,988).

As indicated above, Applicants have amended claims 1 and 24 to include features indicated by the Office Action on Pages 9 and 11 as not disclosed, taught, or suggested by the references of record. In particular, claims 1 and 24 recite that the (at least one) wall including the opening is substantially perpendicular to the plane defined by the mounting base. Such features are not disclosed or suggested by Swirhun et al. Accordingly, Applicants submit that independent claims 1 and 24 (and claims dependent therefrom) are now in condition for allowance and the rejection should be withdrawn.

**Rejections under 35 U.S.C. § 102(e)**

Claims 1, 3, 15, 16, 19, 22-25, 28, 29 and 37-39 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Trezza (US 6,447,174 B1).

As indicated above, Applicants have amended claims 1 and 24 to include features indicated by the Office Action on Pages 9 and 11 as not disclosed, taught, or suggested by the references of record. In particular, claims 1 and 24 recite that the (at least one) wall including the opening is substantially perpendicular to the plane defined by the mounting base. Such features are not disclosed or suggested by Trezza. Accordingly, Applicants submit that independent claims 1 and 24 (and claims dependent therefrom) are now in condition for allowance and the rejection should be withdrawn.

**Rejections under 35 U.S.C. § 103(a)**

Claims 11, 13, 14, 20, 21, and 31-36 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Swirhun et al. (US 5,631,988).

Claims 11, 13, 14, 20, 21, and 31-36 depend from claims 1 and 24 respectively. As indicated above, Applicants have amended claims 1 and 24 to include features indicated by the Office Action on Pages 9 and 11 as not disclosed, taught, or suggested by the references of record. In particular, claims 1 and 24 recite that the (at least one) wall including the opening is substantially perpendicular to the plane defined by the mounting base. Accordingly, Applicants submit that

dependent claims 11, 13, 14, 20, 21, and 31-36 are now in condition for allowance and the rejection should be withdrawn.

### CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 373722001822. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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